

AN ACT

D.C. ACT 15-351

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 18, 2004

To authorize, on a temporary basis, the expenditure in Fiscal Year 2004 of \$500,000 from the budget reserve to implement the Police and Firemen's Service Longevity Amendment Act of 2004.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "December Use of the Cash Reserve Funds Temporary Act of 2004".

Sec. 2. Authorization for expenditure of budget reserve funds.

Pursuant to section 202(j)(3)(B) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 109; D.C. Official Code § 47-392.02(j)(3)(B)), the Council authorizes the expenditure of \$500,000 from the budget reserve to be made available to the District of Columbia Police Officers and Fire Fighters' Retirement Fund ("Fund") to implement the Police and Firemen's Service Longevity Amendment Act of 2004, signed by the Mayor on January 28, 2004 (D.C. Act 15-312) ("Act"), which allows for the inclusion of active military and other creditable service in the calculation of longevity service eligibility associated with the Fund; provided, that none of the \$500,000 shall be expended unless future funding to implement the provisions of the Act is incorporated into the Fiscal Year 2005 budget and the Fiscal Year 2005 to Fiscal Year 2010 budget and financial plan, as enacted by the Council, signed by the Mayor, and transmitted to Congress.

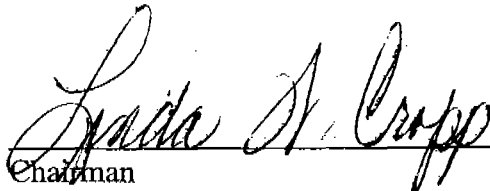
Sec. 3. Fiscal impact statement.


The use of the budget reserve funds is already incorporated into the District of Columbia's budget and financial plan and therefore the enactment of this legislation has no fiscal impact.

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED
February 18, 2004

AN ACT

D.C. ACT 15-352

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 18, 2004*Codification
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To amend, on a temporary basis, An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes to require the Mayor to include as part of a proposed resolution for the disposition of real property an analysis of economic factors and a description of how economic factors will be weighted and evaluated, and in the case of any property to be disposed of through a request for proposal or competitive sealed proposal, to require the Mayor to use economic factors as one of the criteria for evaluating the request for proposal or competitive sealed proposal.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Real Property Disposition Economic Analysis Temporary Amendment Act of 2004".

Sec. 2. Section 1 of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801), is amended as follows:

Note,
§ 10-801

(a) A new subsection (b-1) is added to read as follows:

"(b-1)(1) A proposed resolution for the disposition of real property transmitted to the Council after January 29, 2004 pursuant to subsection (b) of this section shall be accompanied by an analysis prepared by the Mayor of the economic factors and other stated policy objectives to be considered in disposing of the real property, including, when appropriate to the chosen method of disposition, how competition may be maximized.

"(2) The analysis shall describe how economic factors and other stated policy objectives will be weighted and evaluated in the disposition process, and shall include, as appropriate, estimates, with supporting documentation, of the monetary benefits and costs to the District that will result from the disposition. The benefits analyzed shall include revenues, fees, and other payments to the District, as well as the creation of jobs."

(b) A new subsection (e-1) is added to read as follows:

"(e-1) In the case of any real property to be disposed of pursuant to this section through a request for proposal or competitive sealed proposal, the Mayor shall include economic factors and other policy objectives, if any, including revenues, fees, and other payments to the District, as part of the evaluation criteria that will be used to evaluate the request for proposal or competitive sealed proposal."

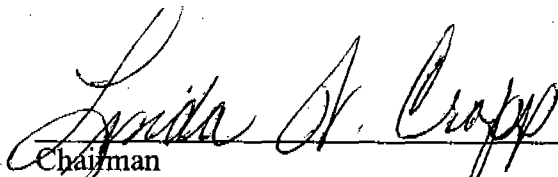
Sec. 3. Fiscal impact statement.

This legislation will not have an adverse impact on the District of Columbia's financial plan and budget because the only changes it would make to current law would be (1) to require an economic analysis to be part of a proposed real property disposition, (2) to require the Mayor to explain how economic factors will be weighted and evaluated in the disposition process, and (3) in the case of a request for proposal or competitive sealed proposal, to require the Mayor to use economic factors as one of the evaluation criteria in evaluating proposals. The legislation is prospective in its application, and would not affect any real property disposition resolutions that have already been transmitted to the Council. By increasing the emphasis on economic factors while giving the Mayor considerable latitude in weighing other factors, such as economic and community development, the legislation would either have a positive or neutral fiscal impact.

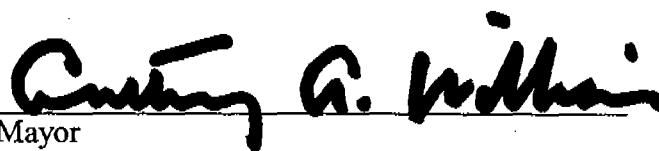
Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
February 18, 2004

ENROLLED ORIGINAL

AN ACT

D.C. ACT 15-353

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 19, 2004*Codification
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To establish, on a temporary basis, the Emancipation Day Parade and related activities to celebrate and commemorate District of Columbia Emancipation Day and to establish the Emancipation Day Fund to accept and use gifts for the purpose of funding the Emancipation Day Parade.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District of Columbia Emancipation Day Parade and Fund Temporary Act of 2004".

Sec. 2. Definitions.

For the purposes of this act, the term:

- (1) "Emancipation Day Parade" means the parade, and associated activities, established in section 3 to celebrate and commemorate District of Columbia Emancipation Day.
- (2) "Fund" means the Emancipation Day Fund established in section 4.

Sec. 3. Establishment of Emancipation Day Parade.

There is established the Emancipation Day Parade, an annual parade and associated activities, to celebrate and commemorate District of Columbia Emancipation Day.

Sec. 4. Emancipation Day Fund.

(a) There is established the Emancipation Day Fund to receive monies for the purposes of funding the Emancipation Day Parade and activities associated with the celebration and commemoration of District of Columbia Emancipation Day.

(b) The monies in the Fund shall not be a part of, or lapse into, the General Fund of the District of Columbia or any other fund of the District of Columbia.

(c) By August 1st of each year, a report shall be submitted to the Council that shall include a specific accounting of the expenditure of funds in the Fund and any remaining balance. The report shall include:

- (1) The name of any donors or list of anonymous contributions;
- (2) The amount of each contribution;

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- (3) A description of any donated property;
- (4) The identification of the use of funds for purposes of presenting the parade in recognition of the District of Columbia Emancipation Day; and
- (5) The support for those parade-related programs, activities, and functions for which the funds have been expended.

(d) Monies shall only be expended from the fund for the administration of the Emancipation Day Parade.

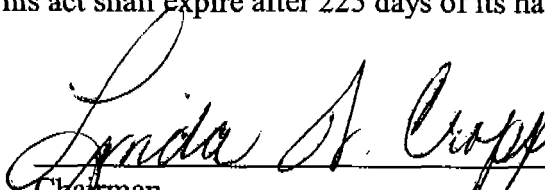
Sec. 5. Fiscal impact statement.

There is no fiscal impact. The monies in the fund will not be included in the District of Columbia's revenues, nor will the obligations generated by payment for the celebration be a part of the District of Columbia's obligations.

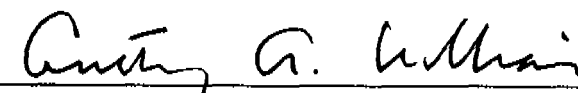
Sec. 6. Effective date.

This act shall take effect upon its approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30 day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1), and publication in the District of Columbia Register.

- (b) This act shall expire after 225 days of its having taken effect.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
February 19, 2004

**COUNCIL OF THE DISTRICT OF COLUMBIA
OFFICE OF THE BUDGET DIRECTOR FISCAL IMPACT STATEMENT**

Type: Emergency () Temporary (x) Permanent ()	Date Reported: January 2004.
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Subject/Short Title: "District of Columbia Emancipation Day Parade and Fund Temporary Act of 2004"

Part I. Summary of the Fiscal Estimates of the Bill

	YES	NO
1. It will impact spending. (If "Yes," complete Section 1 in the Fiscal Estimate Worksheet).	()	(x)
a) It will affect local expenditures.	()	(x)
b) It will affect federal expenditures.	()	(x)
c) It will affect private/other expenditures.	()	(x)
d) It will affect intra-District expenditures.	()	(x)
2. It will impact revenue. (If "Yes," complete Section 2 in the Fiscal Estimate Worksheet).	()	(x)
a) It will impact local revenue.	()	(x)
b) It will impact federal revenue.	()	(x)
c) It will impact private/other revenue.	()	(x)
d) It will impact intra-District revenue.	()	(x)
Explanation:		
3. The bill will have NO or minimal fiscal impact. (If "Yes," explain below).	()	(x)

Part II. Other Impact of the Bill.

If you check "Yes" for each question, please explain on separate sheet, if necessary.

	YES	NO
1. It will affect an agency and/or agencies in the District. The proposed legislation would establish the Emancipation Day Parade, which will be planned by the District of Columbia Office of the Secretary. In addition, the proposed legislation establishes the Emancipation Day Fund to receive monies for the purposes of funding the Emancipation Day Parade and activities associated with the celebration and commemoration of District of Columbia Emancipation Day	(x)	()
2. Are there performance measures/output for this bill?	()	(x)
3. Will it have results/outcome, i.e., what would happen if this bill is not enacted? The proposed legislation would establish the Emancipation Day Fund to accept and use gifts for the purpose of funding the Emancipation Day Parade and related activities. The Emancipation Day Fund is to be established by the Council of the District of Columbia as a special fund under the control of the Council for the purpose of receiving and disbursing funds for the Emancipation Day Parade and related activities. The establishment of the Fund will enable the Council of the District of Columbia to support the activities associated with this historic day.	(x)	()
4. Are funds appropriated for this bill in the Budget and Financial Plan for the current year? The proposed legislation would not authorize unbudgeted expenses.	()	()

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To provide, on an emergency basis, that the disclosure of documents by a District of Columbia government agency, official, or employee to the Council in response to a subpoena issued pursuant to the Council's investigative authority shall not constitute a waiver of any privilege that otherwise could be asserted by the District of Columbia to prevent disclosure of the documents in a judicial or administrative proceeding, and to provide a process for Council disclosure of documents received from a subordinate executive agency under this act.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Disclosure of Information to the Council Emergency Act of 2004".

Sec. 2. Disclosure of District of Columbia government documents to the Council.

(a) Disclosure of documents by a District of Columbia government agency, official, or employee to the Council in response to a subpoena issued pursuant to the Council's investigative authority under section 413 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 789; D.C. Official Code § 1-204.13), shall not constitute a waiver of any privilege that otherwise could be asserted by the District of Columbia to prevent disclosure of the documents in a judicial or administrative proceeding. Neither the Council nor any other person may contend that such disclosure to the Council shall constitute a waiver of any otherwise applicable privilege.

(b) The Council shall not disclose any documents received in executive session from a subordinate executive agency under this act, unless it gives at least 10 calendar days written notice to the Mayor and the Corporation Counsel of its intent to disclose. If the Mayor objects to the proposed disclosure, the Mayor shall inform the Council in writing of the grounds for objecting to the disclosure within 10 calendar days of receipt of the Council's notice. If the Council rejects the Mayor's objections, in whole or in part, it shall so inform the Mayor and the Corporation Council in writing within 10 calendar days of its receipt of the Mayor's objections. The Mayor shall have 10 calendar days from receipt of the Council's written notice rejecting the Mayor's objections to seek judicial action to enjoin the disclosure to which the Mayor objects. If the Mayor seeks judicial action, the Council shall not release the information that is the subject of the Mayor's objections until all judicial proceedings, including any appeals, have been completed.

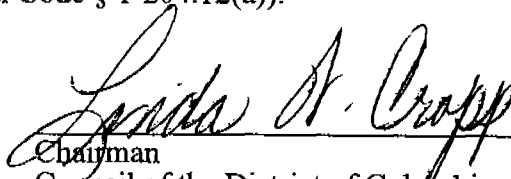
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Sec. 3. Fiscal impact statement.


The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
February 18, 2004

COUNCIL OF THE DISTRICT OF COLUMBIA

OFFICE OF THE BUDGET DIRECTOR


FISCAL IMPACT STATEMENT

Bill Number:	Type: Emergency (<input checked="" type="checkbox"/>) Temporary (<input type="checkbox"/>) Permanent (<input type="checkbox"/>)	Date Reported: February 3, 2004
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Subject/Short Title: Disclosure of Information to the Council Emergency Act of 2004

Part I: Summary of the Fiscal Estimate of the Bill		
	YES	NO
1. It will impact spending. (If "Yes," complete Section 1 in the Fiscal Estimate Worksheet).	()	(X)
a) It will affect local expenditures.	()	(X)
b) It will affect federal expenditures.	()	(X)
c) It will affect private/other expenditures.	()	(X)
d) It will affect intra-District expenditures.	()	(X)
2. It will impact revenue. (If "Yes," complete Section 2 in the Fiscal Estimate Worksheet).	()	(X)
a) It will impact local revenue.	()	(X)
b) It will impact federal revenue.	()	(X)
c) It will impact private/other revenue.	()	(X)
d) It will impact intra-District revenue.	()	(X)
3. The bill will have NO or minimal fiscal impact. (If "Yes," explain below).	(X)	()
<p>Explanation: This legislation only clarifies a legal issue related to the Council's right to review documents that the executive branch considers confidential and that are the subject of litigation in United States District Court.</p>		

Part II: Other Impact of the Bill		
	YES	NO
If you check "Yes" for each question, please explain on separate sheet, if necessary.		
1. It will affect an agency and/or agencies in the District.	(X)	()
2. Are there performance measures/output for this bill?	()	(X)
3. Will it have results/outcome, i.e., what would happen if this bill is not enacted?	(X)	()
4. Are funds appropriated for this bill in the Budget and Financial Plan for the current year?	(X)	()

Sources of information:	Councilmember: Kathy Patterson
	Staff Person & Tel: Amy Mauro 724-8779
	Council Budget Director's Signature: 

2/3/04

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FEBRUARY 19, 2004*Codification
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To amend, on an emergency basis, due to Congressional review, the Life Insurance Act to change the interest rate for calculating the minimum nonforfeiture amount for life insurance annuities from 3% to 1.5% to make the interest rate for cash surrender benefits compatible with the current low interest rate environment.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Standard Valuation Congressional Review Emergency Amendment Act of 2004".

Sec. 2. Section 5c(c)(1) of Chapter V of the Life Insurance Act, effective October 13, 1978 (D.C. Law 2-120; D.C. Official Code §31-4705.03(c)(1)), is amended as follows:

Note,
§ 31-4705.03

(a) Subparagraph (A) is amended by striking the phrase "3 per centum per annum" wherever it appears and inserting the phrase "1.5% per year" in its place.

(b) A new subparagraph (A-1) is added to read as follows:

"(A-1) Notwithstanding the interest rate of 1.5% per year used to calculate the minimum nonforfeiture amount under subparagraph (A) of this paragraph, the Mayor shall issue regulations which shall set forth the computation of the interest rate used to determine the minimum nonforfeiture amount. The regulations shall apply to any contract issued on or after the effective date of the regulations."

Sec. 3. Rulemaking.

The Commissioner shall issue rules and regulations to implement this act within 120 days of the effective date of this act.

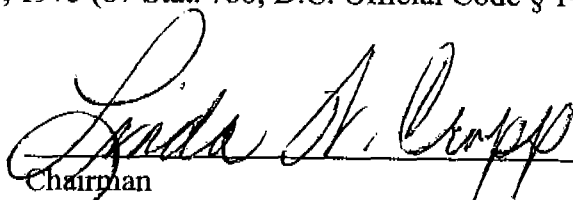
Sec. 4. Fiscal impact statement.

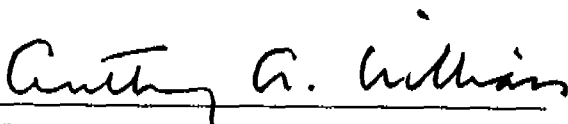
The Council adopts the attached fiscal impact statement as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(3)).

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Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, beginning on January 21, 2004, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED
February 19, 2004

COUNCIL OF THE DISTRICT OF COLUMBIA
OFFICE OF THE BUDGET DIRECTOR **FISCAL IMPACT STATEMENT**

Bill Number:	Type: Emergency (<input checked="" type="checkbox"/>) Temporary (<input type="checkbox"/>) Permanent (<input type="checkbox"/>)	Date Reported: February 3, 2004
Subject/Short Title: "Standard Valuation Congressional Review Emergency Amendment Act of 2004"		
Part I. Summary of the Fiscal Estimates of the Bill		
	YES	NO
1. It will impact spending. (If "Yes," complete Section 1 in the Fiscal Estimate Worksheet).	()	(x)
a) It will affect local expenditures.	()	(x)
b) It will affect federal expenditures.	()	(x)
c) It will affect private/other expenditures.	()	(x)
d) It will affect intra-District expenditures.	()	(x)
2. It will impact revenue. (If "Yes," complete Section 2 in the Fiscal Estimate Worksheet).		
a) It will impact local revenue.	()	(x)
b) It will impact federal revenue.	()	(x)
c) It will impact private/other revenue. See below	()	(x)
d) It will impact intra-District revenue.	()	(x)
3. The bill will have NO or minimal fiscal impact. (If "Yes," explain below).	(x)	()
<p>Explanation:</p> <p>The proposed legislation would provide a coverage in this law between the effective date of the permanent and the expiration date of the temporary due to congressional review. The underlying emergency is necessary to account for the changes in the Treasury bonds and to ensure that the option of investing in life insurance annuities still is made available to District of Columbia residents.</p> <p>The proposed legislation does not have any fiscal impact on the District's General Fund or on the operations of the Department of Insurance and Securities Regulations. The proposed legislation will not require additional staff or resources.</p>		
Part II. Other Impact of the Bill		
If you check "Yes" for each question, please explain on separate sheet, if necessary.		
	YES	NO
1. It will affect an agency and/or agencies in the District. Department of Insurance and Securities Regulation.	(x)	()
2. Are there performance measures/output for this bill?	()	(x)
3. Will it have results/outcome, i.e., what would happen if this bill is not enacted?	(x)	()
See explanation above -- Unless this bill is passed there will be a gap in the law caused by congressional review.		
4. Are funds appropriated for this bill in the Budget and Financial Plan for the current year?	()	(x)
Sources of information:	Councilmember: Sharon Ambrose, Chair, Committee on Consumer and Regulatory Affairs <hr/> Staff Person & Tel: David Grosso -- 724-8072 <hr/> Council Budget Director's Signature:	